

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THE CHAMBER OF COMMERCE OF THE)
UNITED STATES OF AMERICA)
1615 H St. NW,)
Washington, D.C. 20062)
Opposer,)
)
v.)
)
UNITED STATES HISPANIC CHAMBER)
OF COMMERCE FOUNDATION)
2175 K Street, Suite 100)
Washington, D.C. 20037)
Applicant.)
_____)

NOTICE OF OPPOSITION

BOX TTAB FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

THE CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA, 1615
H St. NW, Washington, D.C. 20062 ("Opposer") believes that it would be damaged by the
registration sought by United States Hispanic Chamber Of Commerce Foundation in Application
Serial No. 78/081,731 (the "Application"), and hereby opposes such registration.

04/14/2003 EPINA1 00000031 78081731

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300.00 OP

The Application was published for opposition in the Official Gazette, Trademarks, of July 16, 2002, in International Class 41. Extensions of time to oppose such registration until April 14, 2003 have been granted.

As grounds for the opposition, it is stated that:

I. PRIOR REGISTRATIONS

1. Opposer is the owner of the following U.S. Trademark Registrations (individually and collectively, "Opposer's Registrations") and the marks registered therein (individually and collectively, "Opposer's Marks"):

<u>Reg. No.</u>	<u>Mark</u>	<u>Services</u>
1,686,865	CHAMBER OF COMMERCE OF THE UNITED STATES	Association Services; Namely, Promoting the Interests of Business Men and Women
1,522,157	U.S. CHAMBER OF COMMERCE	Association Services, Namely Promoting the Interest of Business Men and Women
1,436,813	NATIONAL CHAMBER	Association Services, Namely Promoting the Interest of Business Men and Women
1,430,627	U.S. CHAMBER	Association Services, Namely Promoting the Interest of Business Men and Women

2. Applicant seeks registration for a mark which so resembles Opposer's Marks, individually and collectively, as to be likely when associated with the services described in the Application to cause confusion, or to cause mistake, or to deceive.

3. On information and belief, applicant adopted the mark for which registration is sought with full knowledge of Opposer's Marks and Opposer's Registrations.

II. PREVIOUSLY USED MARK

1. Opposer has used Opposer's Marks for various association services, including, without limitation, providing educational and professional development classes, seminars, workshops, and conferences to promote leadership and foster development of entrepreneurship and business acumen among business men and women since a date prior to the date of first use alleged in the Application.

2. Opposer is currently using Opposer's Marks for various association services, including without limitation, providing educational and professional development classes, seminars, workshops, and conferences to promote leadership and foster development of entrepreneurship and business acumen among business men and women, and said mark is highly distinctive, well-recognized and widely considered as indicating Opposer and its high quality of services.

3. Applicant seeks registration of a mark which so resembles Opposer's previously and currently used marks, as to be likely, when associated with the services of the applicant for which registration is sought, to cause confusion, or to cause mistake, or to deceive.

4. On information and belief, applicant has not used its mark at any time prior to the date of first use alleged in its application.

5. On information and belief, applicant adopted the mark for which registration is sought with full knowledge of the prior use by Opposer of its marks.

III. FALSE SUGGESTION OF CONNECTION WITH OPPOSER

1. Opposer is a “person, living or dead” within the meaning of Lanham Act §§2(a) and 45.

2. Applicant’s mark consists of or comprises matter which may falsely suggest a connection with Opposer.

3. In particular, applicant’s mark so resembles Opposer’s registered marks and previously and currently used mark, individually and collectively, so as to be likely, when associated with the services described in the Application to falsely suggest a connection with Opposer within the meaning of the Lanham Act §2(a).

4. Opposer’s marks are highly distinctive, well-recognized and widely considered as indicating a high quality of services associated with said mark. On information and belief, applicant was aware of these facts. Hence, applicant’s use of the mark for which registration is sought constitutes an intentional suggestion of a connection with Opposer within the meaning of the Lanham Act §2(a).

WHEREFORE, Opposer believes that it will be damaged by the registration of the mark sought to be registered by applicant and prays that registration be denied.

Please recognize as the attorney for the Opposer in this proceeding, Mark C. Comtois, member of the bar of the Commonwealth of Virginia and L. Lawton Rogers, III, member of the bar of the District of Columbia and the Commonwealth of Virginia. Please address all communications to:

Mark Comtois, Esq.
Duane Morris LLP
1667 K Street, N.W., Suite 700
Washington, DC 20006.

Respectfully submitted,

THE CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA

By: 

L. Lawton Rogers, III
Mark C Comtois
Duane Morris LLP
Attorneys for Opposer

1667 K Street, N.W., Suite 700
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Telephone: (202) 776-7800
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Dated: April 11, 2003

TTAB

ATTORNEY DOCKET NO. USC02 028

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re the Application of: United States Hispanic Chamber of Commerce

04-11-2003

U.S. Patent & TMO/TM Mail Rcpt. Dt. #40

Serial No.: 78/081,731

Filed: August 29, 2001

For: UNITED STATES HISPANIC CHAMBER OF COMMERCE

TRANSMITTAL

BOX TTAB FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Sir:

Transmitted herewith is a Notice of Opposition (in triplicate), and a check in the amount of \$300.00 for the above-identified application.

If a Petition for an Extension of Time is necessary for the paper transmitted herewith to be timely filed, this transmittal is to be considered as a petition to extend the response period by the amount of time needed for the papers to be timely filed.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 18-1835. A duplicate of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Lawton Rogers, III', written over a horizontal line.

L. Lawton Rogers, III
Mark C. Comtois
Attorneys for Opposer

DUANE MORRIS LLP
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Date: April 11, 2003